

#354986

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#4

In re patent	)	
application of:	)	Before the Examiner
	)	
Stuart Andrew Lomax	)	
	)	
Serial No. 10/523,297	)	
	)	Group Art Unit
Filed February 3, 2005	)	
	)	
VALVE ASSEMBLY	)	July 19, 2005

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)—Filing Date Granted of February 3, 2005, please file the following executed documents:

- (1) Declaration for Utility or Design Patent Application;
- (2) Copy of the Notification of Missing Requirements under 35 U.S.C.

371 In the United States Designated/Elected Office (DO/EO/US); and

- (3) Assignment and Assignment Recordation Fee.

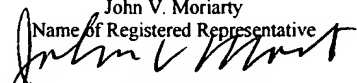
It is believed the application is now in condition for examination and such action by the Examiner is respectfully requested.

If any fees are deemed necessary, please charge said fees to Deposit Account

No. 23-3030, but not to include the payment of any issue fee.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 19, 2005.

John V. Moriarty  
Name of Registered Representative

  
Signature

19 JUL 19 05  
Date of Signature

Respectfully submitted

By: 

John V. Moriarty, Reg. No. 26,207  
Woodard, Emhardt, Moriarty,  
McNett & Henry LLP  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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PCT \$  
C.G.

U.S. APPLICATION NUMBER NO. 10/523,297	FIRST NAMED APPLICANT Stuart Andrew Lomax	ATTY. DOCKET NO. 5545-3
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INTERNATIONAL APPLICATION NO. PCT/GB04/01807
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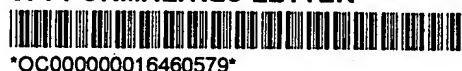
30565  
WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP  
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111 MONUMENT CIRCLE, SUITE 3700  
INDIANAPOLIS, IN 46204-5137

I.A. FILING DATE 04/28/2004	PRIORITY DATE 04/29/2003
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JUL 14 2005

Woodard, Emhardt, Moriarty,  
McNett & Henry LLP

CONFIRMATION NO. 5586  
371 FORMALITIES LETTER

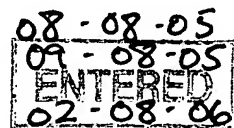


Date Mailed: 07/08/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/03/2005
- Copy of the International Search Report filed on 02/03/2005
- Preliminary Amendments filed on 02/03/2005
- Information Disclosure Statements filed on 02/03/2005
- Oath or Declaration filed on 02/03/2005
- Small Entity Statement filed on 02/03/2005
- Request for Immediate Examination filed on 02/03/2005
- U.S. Basic National Fees filed on 02/03/2005
- Priority Documents filed on 02/03/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,297	PCT/GB04/01807	5545-3

FORM PCT/DO/EO/905 (371 Formalities Notice)

#354992

Approved for use through 07/31/2006. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/523,297
	Filing Date	February 3, 2005
	First Named Inventor	Stuart Andrew Lomax
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	5545-3

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): X PTO Form 2038 (\$40.00) X Response to Notice to File Missing Parts X Declaration for Utility X Assignment and Recordation Form
Remarks <input type="text"/>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or individual name	John V. Moriarty Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	<i>John V. Moriarty</i>
Date	19 JULY 2005

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below	
Typed or printed name	John V. Moriarty
Signature	<i>John V. Moriarty</i>
Date	19 JULY 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.